

Appl. No. 10/087,202
Amdt. dated July 19, 2005
Reply to Office Action of April 20, 2005

PATENT

REMARKS/ARGUMENTS

Upon entry of the amendment, which amends claims 1, 9, 33 and 34, claims 1-34 will be pending. Claims 1-4, 9, 10, 20-23, 33, 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Donahoo et al. "Multiple-channel multicast scheduling for scalable bulk-data transport." Claims 5-6 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donahoo et al. and further in view of Kumar (US Patent No. 5,949,796). Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donahoo et al. and further in view of Zhang (US Patent Publication No. 2001/0037485). Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Donahoo et al. and Zhang and further in view of Kumar. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donahoo et al. and further in view of Kono et al. (US Patent No. 5,455,536). Claims 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donahoo et al. and Zhang, and further in view of Kono et al.. Claims 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donahoo et al. and further in view of Decker et al. (US Patent No. 4,980,897). Claims 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donahoo et al. and further in view of Harkness et al. (US Patent Publication No. 2002/0059633)

Rejections Under 35 U.S.C. § 102(b)

Claim 1

Claim 1 stands rejected as being unpatentable over Donahoo et al. Applicant has amended claim 1 to more clearly recite "performing at least one encoding operation using said portions of original data *from the plurality of original channels* to produce at least one portion of redundancy data;".

Donahoo et al. fails to disclose a method of encoding redundancy channel from a *plurality of original channels*. Donahoo et al. discloses a method for multiple-channel multicasting through partition organization scheduling. Through this approach, the scheduling of data transmission across multiple channels can accommodate asynchronous requests from clients. To accomplish this scheduling scheme, *each* original channel is divided into two subchannels. *See* Donahoo et al., pg. 852. Original data packets are grouped into blocks and

Appl. No. 10/087,202
Amdt. dated July 19, 2005
Reply to Office Action of April 20, 2005

PATENT

sent to one subchannel, while redundancy data for those same blocks are sent to the other subchannel. See Donahoo et al., pg. 852. Thus, each redundancy channel is based on data packets from only a single original channel.

In contrast, the present invention provides for error correction using a redundancy data approach that encompasses multiple original channels. A portion of original data from each of the original channels are selected to produce a portion of redundancy data. This redundancy data is included in the redundancy channel, which is then sent to a communication medium along with all of the original channels. Therefore, each redundancy channel comprises redundancy data generated from a *plurality of original channels*. Donahoo et al. does not disclose a method of producing a redundancy channel from multiple original channels, and therefore claim 1 is patentable over the cited reference.

Claim 9

As amended, claims 9 recites "selecting a portion of redundancy data from said redundancy channel *wherein said redundancy data is generated from original data from the plurality of original channels*;" For at least the reasons stated above with respect to claim 1, claim 9 is also not anticipated by the cited reference.

Claim 33

As amended, claim 33 recites "means for performing at least one encoding operation using said portions of original data *from the plurality of original channels* to produce at least one portion of redundancy data;" For at least the reasons stated above with respect to claim 1, claim 33 is also not anticipated by the cited reference.

Claim 34

As amended, claim 34 recites "means for selecting a portion of redundancy data from said redundancy channel *wherein said redundancy data is generated from original data from the plurality of original channels*;" For at least the reasons stated above with respect to claim 1, claim 34 is also not anticipated by the cited reference.

Other claims

Claims 2-8 depend from claim 1. Claims 10-25 depend from claim 9. Claims 26-32 depend from claims 1 or 9. Each of claims 2-8, and 10-32 include all of the limitations of its

Appl. No. 10/087,202
Amdt. dated July 19, 2005
Reply to Office Action of April 20, 2005

PATENT

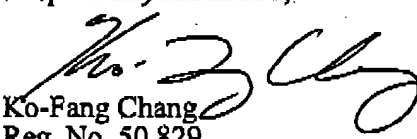
respective independent claim and is therefore believed to be patentable, for at least the reasons stated above with respect to its respective independent claim.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,


Ko-Fang Chang
Reg. No. 50,829

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400 Fax: 415-576-0300
KFC:djb
60540513 v1